

ARTICLE 5

CONTENT AND FORMAT REQUIREMENTS FOR MAJOR SUBDIVISION PLANS

5-1 PURPOSE - The purpose of this Article is to describe the minimum content and format of required plan materials before they can be considered as officially filed for Commission review.

5-2 PRELIMINARY SUBDIVISION PLAN REQUIREMENTS - The following information and requirements shall be applicable to any submission for Commission consideration of a preliminary subdivision plan:

5-2(a) AUTHORIZATION TO PREPARE PLANS - Preliminary subdivision plans may be prepared only by a licensed professional engineer, registered landscape architect, or community planner. However, certain information associated with the plan may be required to be provided only by a licensed professional engineer, such as drainage calculations (including sizing of retention/detention basins, pipes and culverts); preliminary estimates of street grades; and preliminary sanitary sewer design information (especially where capacity or grade problems are an issue).

5-2(b) TITLE BLOCK - The title block shall be placed on the bottom of the sheet and shall contain the subdivision name, which shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Fayette County, preceded by the words "Preliminary Plan of (Subdivision Name)"; the record name and street address of the property being subdivided; the name and mailing address of the property owner, the developer, the engineer, and any other persons directly involved in the transaction; and legend information such as the graphic scale, written scale, north point, date of preparation, and any other pertinent legend data.

5-2(c) VICINITY SKETCH - A sketch showing the general location of the subdivision in relation to the surrounding area and to existing and proposed community features, such as major traffic arteries; public transportation; schools; recreation areas; shopping areas; industrial areas; and residential neighborhoods -- with the sketch oriented in the same direction as the lotting scheme.

5-2(d) LOTTING SCHEME - The lotting scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, north oriented to the top of sheet, and shall show the following existing and proposed features on the adjacent, as well as the subject, property:

5-2(d)(1) BOUNDARY LINES - The location, distance, and bearings for boundary lines; and the location, width, and purpose of all easement lines.

5-2(d)(2) STREETS - The street name (which shall not be the same nor closely approximate, phonetically or in spelling, to the name of any other street in Fayette County), right-of-way width, location, and typical cross section, and any access points designated for use by construction vehicles.

5-2(d)(3) LOTTING AND SETBACK - The location and distances for lot lines; lot numbers and block numbers; and the proposed building setback lines, with dimensions showing the distance set back from the street right-of-way.

5-2(d)(4) EXISTING UTILITIES - The location, size, and invert elevation of sanitary and storm sewers; location of water mains; location of gas lines, fire hydrants, electric and telephone poles or underground wires, and street lights.

5-2(d)(5) CONTOURS - Contours shall be at two-foot vertical intervals, referenced to North American Vertical Datum 1983 for horizontal, and 1988 for vertical control, or to a permanent benchmark. Source of contours shall be noted.

5-2(d)(6) SUBSURFACE CONDITIONS - When required, location and results of tests made to ascertain subsurface soil, rock, and groundwater conditions, especially for septic tanks, street construction, or flood hazards.

5-2(d)(7) PUBLIC AND NON-PUBLIC SITES - The name, acreage, and use of any parcels to be conveyed or held for public use, or for joint use of property owners; and an explanation of the provisions of reservation and arrangement for maintenance; and the name, location, acreage and use of any non-public

uses (other than single-family dwellings) such as multi-family dwellings, shopping centers, churches, existing burial grounds (including private family cemeteries), etc.

5-2(d)(8) EXISTING TREE STANDS - Areas of substantial existing trees, including those located along fence rows and drainage areas, shall be shown along with a general description of the type and size of such trees.

5-2(d)(9) DRAINAGE FEATURES - The location of watercourses shall be shown, as well as the location of any floodplain area as provided in Article 21 of the Zoning Ordinance. The elevation of the regulatory flood shall be labeled where such information is available. The general location of any proposed storm water retention basin and/or stream relocation shall also be shown.

5-2(d)(10) AREAS OF GEOLOGIC HAZARD OR ENVIRONMENTAL SENSITIVITY - Any such area as defined under Article 6 of these regulations shall be shown on the lotting scheme and labeled as to its nature. Additional information as required in Article 6 shall also be filed.

5-2(d)(11) OTHER CONDITIONS - Such as ponds, marshes, or other significant natural or man-made features; owners or subdivision name of adjacent land, including record plat reference; and other information related to the adjoining land as necessary to ensure proper continuity of storm drainage, sanitary sewers, street grades and other facilities.

5-2(e) PROPOSED PRIVATE UTILITIES - A listing of the private utilities (those improvements generally not later dedicated to and maintained by local government, such as water; gas; electricity; telephone; and, at times, sewage disposal), whether or not the developer intends to have them provided, agency or means by which they are to be provided, and agency which will supervise or approve any installation.

5-2(f) SITE STATISTICS - The total acreage; acreage in street right-of-way, single-family lots, and other land uses; average lot sizes; lineal feet of streets; zoning, etc.

5-2(g) DEVELOPMENT PLAN - Where the land area shown on the preliminary plan represents only a portion of an undeveloped tract of land, a development plan may be required as a means of showing the proposed street layout, land

uses, public facilities, etc., for the entire property. Such plan shall be prepared at the developer's expense.

5-3 IMPROVEMENT PLAN REQUIREMENTS -

This material shall be sufficient to show the proposed locations, sizes, types, grades, and general design features of each facility as required by the Division of Engineering Technical Manuals; shall be based upon reliable field data; use the number of sheets and sheet size as may be required by the Division of Engineering Technical Manuals; contain title block information as for the preliminary plan; and meet the following requirements, at a minimum:

5-3(a) AUTHORIZATION TO PREPARE PLANS - All improvement plan materials shall be prepared only by a licensed professional engineer.

5-3(b) STREET PROFILES - The plan and profile of each proposed street (with elevations and distances for the existing and proposed ground and street grade surface on, and three hundred feet beyond, the tract) at a horizontal scale the same as for the approved preliminary plan and a vertical scale of 1/10 of the horizontal scale.

5-3(c) STREET CROSS-SECTIONS - A typical cross-section of each proposed street or other construction item, at a scale of ten (10) feet or less to the inch, showing the width of pavement, the location and width of sidewalks, and rights-of-way.

5-3(d) SEWERS AND STORM WATER DRAINAGE - The plans and profiles of proposed sanitary sewers and storm water drainage sewers or other drainage ways, at a horizontal scale the same as the approved preliminary plan and at a vertical scale of 1/10 of the horizontal scale, with grades and sizes indicated. If a piped system of storm sewers is not proposed, then an alternate system shall be properly illustrated as required by the Division of Engineering.

5-3(e) SOIL EROSION CONTROL PLAN - Soil erosion control plans required in conjunction with major subdivision plans under Chapter 16 of the Code of Ordinances shall be considered as a part of the required improvement plan information for the purposes of these Subdivision Regulations.

5-3(f) RECORD DRAWINGS - This plan, submitted in both paper and digital format, shall include the same information as required for improvement plans, except that the record

drawings shall accurately reflect the actual installation of the improvements.

5-3(g) COMPOSITE DRAINAGE PLAN - A composite drainage plan for each lot shall be prepared by the project engineer and submitted to the Division of Engineering prior to recording of the final subdivision plan.

5-4 FINAL SUBDIVISION PLAN REQUIREMENTS - The following information and requirements shall be applicable to any submission for Commission consideration of a final subdivision plan.

5-4(a) AUTHORIZATION FOR PLAN PREPARATION - Final subdivision plans must be prepared jointly by a registered civil engineer and land surveyor, except that final record plans exempted from preliminary and improvement plans under Section 4-3 above shall require preparation only by a land surveyor.

5-4(b) MATERIALS - The final plan shall be prepared on mylar or other material capable of clear reproduction using the ozalid print process. The sheet size may not exceed 17"x 22", and all plan information will be shown clearly and legibly. In addition, the final plan shall be submitted in digital format containing the information required by the Division of Engineering. In all cases, the mylar submission shall be considered the official submission.

5-4(c) TITLE BLOCK AND VICINITY SKETCH - The same information shall be required as for a preliminary plan, except that the title shall be "Final Record Plan of (Subdivision Name)."

5-4(d) LOTTING SCHEME - The lotting scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, north oriented to top of the sheet, and shall show the following:

5-4(d)(1) FOR ADJACENT LAND - Show the exact location of adjoining streets with dashed lines; show the bearings and distances to nearest established street bounds, established survey lines, other official monuments or burial grounds (including private family cemeteries); and for adjacent property, show the boundaries with dashed lines and the record name of the subdivision or owner's name.

5-4(d)(2) BOUNDARY LINES OF TRACT - Show the subdivision tract boundary lines with lengths of courses to hundredths of a foot, and

bearings to nearest five (5) seconds of an arc, determined by an accurate survey in the field.

5-4(d)(3) STREET AND LOT LINES - For street and alley rights-of-way, show the names, bearings, angles of intersections, and width including the widths along the line of any obliquely intersecting street; for all arcs, show the length, radii, points of curvature, and tangent bearings; for all lot lines, show dimensions in feet and hundredths, and bearings and angles to minutes if other than right angles to the street or alley lines. Any plan containing permitted private streets shall have such streets so labeled.

5-4(d)(4) EASEMENTS - All easements will be shown and clearly labeled as to their width and purpose.

5-4(d)(5) FLOODPLAIN INFORMATION - As required by Article 19 of the Zoning Ordinance, all floodplain areas shall be shown and clearly labeled; and where available, the actual computed elevation of the regulatory flood shall be noted.

5-4(d)(6) OTHER INFORMATION ON LOTTING SCHEME - Show lots numbered in numerical order, blocks lettered in alphabetical order, and street address numbers for each lot; show the accurate location, description and material of all permanent control monuments, set as required in Article 6; show the accurate location of burial grounds and private family cemeteries, their easements, their accessibility and maintenance; show all property intended for public use or dedication and for common use of property owners; show front yard setback as required by the Zoning Ordinance or, if more restrictive, as desired by developer.

5-4(e) PROPOSED PRIVATE UTILITIES - A listing of the private utilities (those improvements generally not later dedicated to, and maintained by local government such as water; gas; electricity; telephone; and, at times, sewage disposal), whether or not the developer intends to have them provided, agency or means by which they are to be provided, and agency which will supervise or approve any installation.

5-4(f) NOTES - Any informational or restrictive notes to be included on the plan shall be numbered in sequential order and grouped together as one list whenever possible.

5-4(g) MAINTENANCE NOTE - A note shall be included on the plat, which notifies potential

lot purchasers of their responsibilities for maintaining drainage and other easement areas. If a private family cemetery is located within the area to be subdivided, a note shall be included on the plat that denotes responsibility for maintaining the cemetery, landscaping and access easement.

5-4(h) CERTIFICATION BLOCK - Shall contain the following certifications, along with required signatures:

5-4(h)(1) OWNER'S CERTIFICATIONS - Shall be as follows:

"I (we) do hereby certify that I am (we are) the owner(s) of record of the property platted hereon, which is recorded in Deed Book Volume (or Plat Cabinet) _____, Page (or Slide) _____, in the Fayette County Clerk's Office; do hereby adopt this as my (our) plan of lots for this property; do hereby dedicate the streets and any other spaces so indicated to public use; and do establish that the easements shown hereon are reserved for the use so indicated; and no structure, tree, or other obstruction of any kind shall be erected or permitted to remain upon or over any portion of said easements."

If public sanitary sewers are provided, the following phrase is to be inserted in the certification at this point:

"And do hereby dedicate the sanitary sewer system to public use."

If private sanitary sewers serve the subdivision, the following is to be added in lieu of the preceding phrase:

"Do hereby dedicate the sanitary sewer lines and other parts of the system, except the sewage treatment plant, to public use, with such dedication to take effect only at such time as the Urban County Government purchases the sewage treatment plant to which said lines are connected."

The certification shall continue as follows:

"Also I (we) do hereby agree that before any lot herein is sold or transferred, the purchaser shall be notified in the contract or deed of any private utilities (water, gas, electricity, telephone, and where applicable, sanitary sewers) not installed, and the deed or contract shall contain a statement that no building occupancy certificate may be secured until

any such utility is installed." (Witness, address, and date) (Owner and lien holder, address, and date)

Any plan containing a permitted private street or an access easement shall contain the following signed certification by the owner:

"Private Street (or Access Easement) Responsibilities of Owners - The owners of this property and any successors in title hereby agree to assume full liability and responsibility for any construction, maintenance, reconstruction, snow removal, cleaning or other needs related to the private streets (or access easements) so designated on this plan, and do hereby fully relieve the Urban County Government from any such responsibility. The owners of this property hereby agree to grant full rights of access to this property over the private street (or access easement), and over utility and other easements for governmental and utility agencies to perform their normal responsibilities. The owners understand that the private streets (or access easements) will not result in any reduction in taxes required by and payable to the Urban County Government. Furthermore, if the owners in the future should request that the private streets (or access easements) be changed to public streets, the owners do fully agree that, before acceptance of such streets (or access easements) by the Urban County Government, the owners will bear full expense of reconstruction or any other action necessary to make the streets (or access easements) fully conform to the requirements applicable at that time for public streets prior to dedication and acceptance. Finally, if at some future date the Urban County Government so requests, the owners also agree that these streets (or access easements) shall be dedicated to public use without compensation to the owners and without the owners' expense in making such streets (or access easements) conform to the requirements applicable at that time for public streets." (Signed and dated by owners)

If the plan is solely for the purpose of dedicating a private street or other private improvement, the following certification shall be used:

"I (we) do hereby certify that I am (we are) the owners of record of the property platted hereon, which is recorded in Plat Cabinet

_____, Slide _____, in the Fayette County Clerk's Office; do hereby adopt this as my (our) plan of lots for this property; do hereby dedicate the (streets and/or any other spaces) so indicated to public use, and do establish that the easements shown hereon are reserved for the use so indicated; and no structure, tree, or other obstruction of any kind shall be erected or permitted to remain upon or over any portion of said easements." (Signed and dated by owners)

5-4(h)(2) ENGINEER'S AND SURVEYOR'S CERTIFICATION - Shall be as follows:

"I hereby do certify that this record plan was prepared by me or under my direction; that all work performed by me or under my direction, including engineering design and construction observation of the infrastructure, was done in accordance with the provisions of the Land Subdivision Regulations, the Zoning Ordinance, the Division of Engineering Technical Manuals and the requirements of the Planning Commission; that all monuments indicated hereon do exist and their locations, size and materials are correctly shown; that, to the best of my knowledge and belief, the information shown hereon is accurate." (Engineer's and surveyor's signature, address, date and seal)

If the plan is solely for the purpose of dedicating a private street or other private improvement, the following certification shall be used:

"I hereby certify that this record plan was prepared by me or under my direction; that all monuments relative to the improvements to be dedicated, as indicated, do exist and their locations, size and materials are correctly shown; that, to the best of my knowledge and belief, the information shown hereon is accurate." (Engineer's and surveyor's signature, address, date and seal)

If there is no public or private infrastructure (as defined or regulated by the Division of Engineering Technical Manuals) to be constructed, modified or dedicated, and no performance and/or warranty surety is required, the following certification shall be used:

"I hereby do certify that this record plan was prepared by me or under my direction; was done in accordance with the provisions of the Land Subdivision Regulations, the Zoning

Ordinance and the requirements of the Planning Commission; that all monuments indicated hereon do exist and their locations, size and materials are correctly shown; and that, to the best of my knowledge and belief, the information shown hereon is accurate." (Engineer's and/or surveyor's signature, address, date, and seal)

5-4(h)(3) URBAN COUNTY ENGINEER'S CERTIFICATION - Shall be as follows:

"I hereby certify that record drawings for the infrastructure shown hereon have been received."

(or if a surety is involved, substitute the following):

"I hereby certify that record drawings for the infrastructure shown hereon have been received and that a combination performance and warranty surety, in the amount required by the Subdivision Regulations, has been posted in my office by the developer."

(or if no public improvements are contained in the subdivision, substitute the following):

"I hereby certify that the requirements of the Subdivision Regulations and the Planning Commission do not require public improvements for this subdivision, and therefore no improvement plans or surety were required by my office." (Urban County Engineer's signature and date)

If the plan is solely for the purpose of dedicating a private street or other private improvement, the following certification shall be used:

"I hereby certify that the improvements required by the Urban County Council through Ordinance #_____ have been completed." Or "I hereby certify that \$_____ for improvements has been paid into a fund to be used to provide for such improvements in accordance with Urban County Council Ordinance #_____." (Urban County Engineer's signature and date)

5-4(h)(4) COMMISSION'S CERTIFICATION - Shall be as follows:

"I do hereby certify that this record plat was approved by the Urban County Planning Commission at its meeting on (date) and is

now eligible for recording." (Planning Commission Secretary's signature and date)

5-5 AMENDMENTS - The required content and format for any amendment to a major subdivision plan shall be the same as for the original submission. In addition, the plan title shall be labeled to indicate the plan is an "Amended (type of plan) of (Subdivision Name, including lot numbers affected by the amendment)"; and a note shall be included on the plan setting forth the specific purpose of the requested amendment. No plan change shall be considered in effect unless it is referenced in this note.

